

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PALTALK HOLDINGS, INC.,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

CIVIL ACTION NO. 6:21-CV-00757-ADA

JURY TRIAL DEMANDED

**AMENDED DECLARATION OF AMBER B. MAGEE IN SUPPORT OF
PLAINTIFF'S MOTION STRIKE CERTAIN OPINIONS
OF DEFENDANT'S DAMAGES EXPERT LAUREN KINDLER**

I, Amber B. Magee hereby declare as follows:

1. I make this declaration of my own personal knowledge, and if compelled to testify,

I could and would competently testify thereto. I am an attorney at Susman Godfrey, LLP counsel for Plaintiff Paltalk Holdings, Inc. ("Paltalk"). This declaration is submitted in support of Plaintiff Paltalk Holdings, Inc.'s Motion to Strike Certain Opinions of Defendant's Damages Expert Lauren Kindler.

2. Attached as **Exhibit 1** is a true and correct copy of Lauren R. Kindler's expert rebuttal report dated October 27, 2022.

3. Attached as **Exhibit 2** is a true and correct copy of a Patent Purchase and License Agreement between NCR Corporation and WebEx Communications, Inc. dated September 17, 2004 and Bates numbered CISCO-PAL-00003856.

4. Attached as **Exhibit 3** is an excerpt¹ of a true and correct copy of the Cisco Webex revenue spreadsheet Bates numbered CISCO-PAL-00003857.

¹ The full spreadsheet is 232 pages when printed, and Paltalk was unable to upload the full spreadsheet into the Court's filing system. Paltalk will deliver the full spreadsheet produced at CISCO-PAL-00003857 to chambers.

5. Attached as **Exhibit 4** is a true and correct copy of an email from counsel for Cisco Systems, Inc. email to Paltalk's counsel during this litigation.

6. Attached as **Exhibit 5** is a true and correct copy of excerpts from the October 11, 2022, deposition of Amit Barave.

7. Attached as **Exhibit 6** is a true and correct copy of excerpts from the November 15, 2022, deposition of Lauren Kindler.

8. Attached as **Exhibit 7** is a true and correct copy of Cisco's September 26, 2022 email transmitting their production volume 20.

9. Attached as **Exhibit 8** is a true and correct copy of Paltalk's First Requests for Production to Defendant Cisco.

10. Attached as **Exhibit 9** is a true and correct copy of Paltalk's Second Requests for Production to Defendant Cisco.

11. Attached as **Exhibit 10** is a true and correct copy of Dean Willis's expert rebuttal report dated October 27, 2022.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my current knowledge.

Executed this 2nd day of December, 2022 in Houston, Texas.

/s/ Amber Magee
Amber Magee